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9  
10 UNITED STATES DISTRICT COURT  
11 DISTRICT OF NEVADA

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13 MICHAEL KAMBESTAD,

14 Plaintiff,

15 vs.

16 USAA CASUALTY INSURANCE  
COMPANY; DOES I-X, and ROE  
17 CORPORATIONS XI-XX, inclusive

18 Defendant.

CASE NO. 2:17-cv-2264-JCM-NJK

STIPULATION AND ORDER TO EXTEND  
DISCOVERY DEADLINES

(FIRST REQUEST)

19  
20 Pursuant to LR 6-1 and LR 26-4, the parties, by and through their respective  
21 counsel of record, hereby stipulate and request that this Court extend discovery in the  
22 above-captioned case ninety (90) days, up to and including Tuesday, May 29, 2018. In  
23 addition, the parties request that the dispositive motions and pretrial order deadlines be  
24 extended for an additional ninety (90) days as outlined herein. In support of this  
25 Stipulation and Request, the parties state as follows:

26 1. On April 26, 2017, Plaintiff filed his Complaint in United States District  
27 Court, District of Nevada.

28 2. On September 1, 2017, Defendants filed their Answer.

3. On October 24, 2017 the parties submitted a proposed Scheduling Order to the Court.

4. On November 2, 2017, Plaintiff served his Initial Disclosure of Documents and Witnesses on Defendant.

5. On November 14, 2017, Defendants served their Initial Disclosure of Documents and Witnesses on Plaintiff.

## DISCOVERY REMAINING

1. Defendants will take the deposition of Plaintiff.

2. Plaintiff will take the deposition of the Defendants.

3. The parties will complete all written discovery.

4. Defendants will collect Plaintiff's medical and billing records.

5. The parties will take the depositions of the designated expert witnesses.

6. The parties may take the depositions of Plaintiff's medical providers once Defendant is able to obtain all pertinent medical records.

7. The parties will take the depositions of any and all other witnesses garnered through discovery.

This Request for an extension of time is not sought for any improper purpose or other purpose of delay. Rather, it is sought by the parties solely for the purpose of allowing sufficient time to conduct discovery.

## WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED

The parties have been compiling documents and investigating the instant action. The parties are actively engaged in efforts to obtain outstanding medical records, which, when received, may allow the parties to engage in dialogue regarding potential settlement of the claim in lieu of protracted discovery. Thus, the parties request a brief extension to the discovery deadlines, including the expert disclosure deadlines, to avoid incurring unnecessary expenses related expert retention at this juncture.

Extension or Modification of The Discovery Plan and Scheduling Order. LR 26-4 governs modifications or extension of this discovery plan and scheduling order. Any

1 stipulation or motion must be made no later than twenty-one (21) days before the  
2 expiration of the subject deadline, and comply fully with LR 26-4.

3 The following is a list of the current discovery deadlines and the parties' proposed  
4 extended deadlines.

Scheduled Event	Current Deadline	Proposed Deadline
Discovery Cut-off	Wednesday, February 28, 2018	Tuesday, May 29, 2018
Amendment to Pleadings	Thursday, November 30, 2017	Closed
Interim Status Report	Friday, December 29, 2017	Thursday, March 29, 2018
Expert Disclosure pursuant to Fed R. Civ. P. 26 (a)(2)	Friday, December 29, 2017	Thursday, March 29, 2018
Rebuttal Expert Disclosure pursuant to Fed. R. Civ. P. 26(a)(2)	Monday, January 29, 2018	Monday April 30, 2018
Dispositive Motions	Friday, March 30, 2018	Thursday, June 28, 2018, or at least thirty (30) days after the close of discovery
Joint Pretrial Order	Monday, April 30, 2018	Monday, July 30, 2018, or at least thirty (30) days after the decision of last Dispositive Motions

19 This Request for an extension of time is not sought for any improper purpose or  
20 other purpose of delay. Rather, it is sought by the parties solely for the purpose of  
21 allowing sufficient time to conduct discovery in this case and adequately prepare their  
22 respective cases for trial.

23 This is the first request for extension of time in this matter. The parties respectfully  
24 submit that the reasons set forth above constitute compelling reasons and good cause for  
25 the short extension.

26 ...

27 ...

28 ...

WHEREFORE, the parties respectfully request that this Court extend the discovery period by ninety days (90) days from the current deadline of February 28, 2018 up to and including May 29, 2018 and the other discovery dates as outlined in accordance with the table above.

DATED this 8<sup>th</sup> day of December 2017.

DATED this 8<sup>th</sup> day of December, 2017.

LEWIS BRISBOIS BISGAARD & SMITH

RICHARD HARRIS LAW FIRM

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## ORDER

IT IS SO ORDERED.

Dated this 11 day of December, 2017.

UNITED STATES MAGISTRATE JUDGE